

REMARKS

This Response is submitted in reply to the Office Action mailed on March 20, 2006. Claims 1-35 are pending in the patent application. Claims 1, 13, 14, 18, 22, 26, 30 and 33 have been amended for clarification purposes and not for any reasons of patentability. No new matter has been added by this Response.

Claims 1, 2, 4-14, 16-20, 22, 24-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,960,411 to Hartman et al. ("*Hartman*"), in view of Web pages from the Web site www.airnet.com ("*Airnet*") and in further view of U.S. Patent No. 6,519,627 to Dan et al. ("*Dan*"). Applicants respectfully submit that the combination of *Hartman*, *Airnet* and *Dan* does not disclose, teach or suggest all of the elements of claims 1-35 for the following reasons.

Claim 1, as amended, is directed to a method of permitting a user to order merchandise on a client computer that communicates with the server where the server responds to an on-demand request for a Web page containing promotional items and merchandise. The server sends the Web page and an auxiliary file to the client computer, where the auxiliary file contains descriptive data related to the promotional items. The method includes receiving the Web page and the auxiliary file at the client computer to produce a graphical depiction of one or more promotional items on a graphical user interface coupled to the client computer. The descriptive data that is displayed is related to at least one of the promotional items requested by the user. The descriptive data is read from the auxiliary file without accessing and querying the server and is displayed with a graphical depiction on the graphical user interface. The method includes sending the descriptive data related to one of the promotional items to a selection panel in response to a selection request from the user. The selection panel is displayed with a graphical

depiction on the graphical user interface. The received descriptive data is implemented by the client computer by reading the auxiliary file (and not by accessing and querying the server).

In contrast, *Hartman* is directed to a method and system for placing an order to purchase an item via the Internet. The order is placed by a purchase at the client system and received by a server system. In the Office Action, the Patent Office states that:

Hartman does not disclose displaying the descriptive data related to the promotional item, reading the descriptive data from the auxiliary file without querying the server and the descriptive data is implemented in response to a pointer linked to an input device being moved one or more promotional items [sic] a graphic depiction. (See the Office Action, page 6).

The Patent Office therefore relies on *Airnet* to remedy the deficiencies of *Hartman*.

Airnet is directed to a parts information management system, which displays on a single screen, information related to products such as a hierarchical parts list, prices, bulletins and exploded views of parts. On the electronic catalog page, *Airnet* discloses that an image server displays images that contain hyperlinks to parts and assembly information stored in databases. For example, when a user clicks on a part displayed on the image server page, the corresponding part and assembly information is displayed to the user. The comprehensive details for components and assemblies of those components are stored in databases and the information related to the click part for assembly is searched and displayed through the use of hyperlinks for text based searches.

Additionally, *Airnet* discloses that the parts inventory information is stored in a relational database. The relational database allows complex searches in customizable fields that link directly to existing order entry and inventory systems. The user therefore controls the information displayed on the page in *Airnet* by clicking on one or more of the parts to deliver a display request or to access the server and establish a link in response to that user's click request.

The descriptive data related to the parts based on a request from the user in *Airnet*, therefore, is obtained by accessing and querying the image server and associated databases to display the graphical depiction on the display. In contrast, the claimed invention obtains the descriptive data from an auxiliary file without accessing or querying the server.

Dan is combined with *Hartman* and *Airnet* to disclose the synchronization of the selection panel with a duplicate of the selection panel on a server. *Dan* therefore also discloses accessing information from a server and does not remedy the deficiencies of *Hartman* and *Airnet* to this effect.

Additionally, in the Office Action, the Patent Office states that “applicants disclosure has neither defined or described an auxiliary file and therefore the examiner interprets the term ‘an auxiliary file’ as a set of data or a document sent along with the Web page from the server.” (See the Office Action, page 3). The Patent Office further states that *Hartman* discloses sending a Web page along with auxiliary files on descriptive data of items. Applicants respectfully disagree.

As stated in Applicant’s previous response, *Hartman* specifically teaches the transfer of information or data from the server to the client computer. For example, *Hartman* states that “when the purchaser selects the single-action ordering button, the client system sends a message to the server system requesting that the displayed item be order.” (Emphasis added). (Col. 4, lines 59-61). *Hartman* also states that the Web pages are sent from the server system to the client system when the purchaser requests detailed information about an item. (Col. 4, lines 4-12). The information about the item is therefore received from the server and not from an auxiliary file sent with the Web page. *Hartman* therefore does not disclose or describe providing any sort of auxiliary file associated with the ordered items. Furthermore as stated above, *Airnet*

discloses displaying an image that is hyperlinked to a database or server. Therefore, *Airnet* does not remedy the deficiencies of *Hartman*.

The Patent Office further states that the drag-and-drop tool of *Airnet* allows or enables the movement of the image in *Airnet*. However, the drag-and-drop tool in *Airnet* gauges the image display position on the display screen and therefore is not relevant to the display of the descriptive data sent in response to the user's request.

For all of the above reasons, Applicants submit that the combination of *Hartman*, *Airnet*, and *Dan* does not disclose, teach or suggest all of the elements of the claimed invention. Therefore, amended claim 1 and claims 2-12 which depend from claim 1 are each patentably distinguished over the combination of *Hartman*, *Airnet*, and *Dan* and in condition for allowance.

Amended claims 13, 14, 18, 22, 26, 30 and 33 each include similar elements to amended claim 1. Therefore, Applicants respectfully submit that claims 13, 14, 18, 22, 26, 30 and 33, and dependent claims 15-17, 19-21, 23-25, 27-29, 31-32 and 34-35 which depend from these claims, respectively, are each patentably distinguished over the combination of *Hartman*, *Airnet*, and *Dan* and in condition for allowance.


Claims 3, 15, 21 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Hartman*, *Airnet*, *Dan* and in further view of U.S. Patent No. 6,496,208 to Bernhardt et al. ("*Bernhardt*"). Claim 3 depends from amended claim 1. Claim 15 depends from amended claim 14. Claim 21 depends from amended claim 18 and claim 23 depends from amended claim 22. For at least the reasons provided above with respect to amended claim 1, Applicants submit that claims 3, 15, 21 and 23 are each patentably distinguished over the combination of *Hartman*, *Airnet*, *Dan* and *Bernhardt* and for the further reasons that the combination of *Hartman*, *Airnet*, *Dan* and *Bernhardt* does not disclose or suggest the novel

elements of claims 3, 15, 21 and 23 in combination with the novel elements of amended claims 1, 14, 18 and 22, respectively.

In light of the above, Applicants respectfully submit that claims 1-35 are patentable and non-obvious over the art of record because the cited art does not disclose, teach or suggest the subject matter of the claimed invention. Accordingly, Applicants respectfully request that claims 1-35 be deemed allowable at this time and that a timely notice of allowance be issued in this case.

No fees are due. If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (39992-400700) on the account statement.

Respectfully submitted,

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